#### CAUSE No. C-1-CV-16-010906

ROBERT REEVES	\$ In the County Court of Law
Plaintiff,	\$
	\$
v.	\$ No. 1
	\$
BRET VANCE	\$
Defendant.	\$ TRAVIS COUNTY, TEXAS

## PLAINTIFF'S FIRST AMENDED PETITION, APPLICATION FOR TEMPORARY AND PERMANENT INJUNCTION

#### TO THE HONORABLE JUDGE OF SAID COURT:

**Now Comes** Robert Reeves, hereinafter called "Plaintiff" or "Mr. Reeves", complaining of and about Bret Vance, hereinafter called "Defendant", and for cause of action shows unto the Court the following:

#### I. <u>Discovery Control Plan Level</u>

1. Plaintiff intends that discovery be conducted under Discovery Level 2.

#### II. PARTIES AND SERVICE

- 2. Plaintiff, Robert Reeves, is an individual whose address is 1000 Alta Vista Avenue, Austin, Texas 78704.
  - 3. The last three numbers of Robert Reeves' driver's license number are 243.
- 4. Defendant Bret Vance, an Individual who is a resident of Texas, may be served with process at his home at the following address: 903 Edgecliff Terrace, Austin, Texas 78704. Service of said Defendant as described above can be effected by personal

delivery.

#### III. <u>JURISDICTION AND VENUE</u>

- 5. The subject matter in controversy is within the jurisdictional limits of this court.
  - 6. Plaintiff seeks:
    - a. monetary relief over \$100,000 but not more than \$200,000; and
    - b. non-monetary relief.
- 7. This court has jurisdiction over Defendant because Defendant is a Texas resident.
  - 8. Venue in Travis County is proper in this cause.

#### IV. FACTS

#### Short-Term Rental Licensing

9. As the city of Austin has grown, so too has tourism and the demand for short-term housing. Increasingly, these demands have been met by the rise of the so-called "share economy," where people rent out their homes on a short-term basis to passing travelers. This development soon led to extremes – enterprising investors would purchase properties and run them as mini-hotels, solely for the purpose of renting them out to travelers, while ignoring all the standards and rules imposed upon hotels such as standards of safety, cleanliness, tax remission and zoning. As a result, the equivalent of mini-hotels sprung up in residential areas.

- 10. In response to this epidemic, the City of Austin passed City Code Chapter 25, which, in part, regulates short-term rental (STR) licenses in for Austin residents with the goal of curbing and regulating short-term rentals in the city of Austin. There are 3 types of STR's as defined by the Code, the first two of which are relevant here.
- 11. Type I rentals are defined as owner-occupied single-family, multifamily, or duplex properties. These rentals are regulated by the City, but the number of Type I rentals is not restricted. However, the properties must be owner-occupied and not purchased as an investment property to regularly rent out. This would be the equivalent of going on a vacation and renting your home out while you are gone.
- 12. Type II rentals are defined as not owner-occupied single-family or duplex properties, or the equivalent of holding a property solely to rent it out. These rentals are subject to a 3% cap of properties in a given census tract in Travis County. For example, if a census tract contains 100 properties, only 3 properties in said tract may receive Type II licenses.

#### General Requirements for Short-Term Rentals

13. All short-term rentals must be licensed and are subject to occupancy caps. The maximum number of people in a property is limited to not more than 2 adults per bedroom plus 2 additional adults may be present in a short-term rental between 10:00 p.m. and 7:00 a.m., with an absolute maximum of 10 related adults per property, or 6 unrelated adults per property. *See* Austin City Code Chapter 25-2-795. For example, a 1- bedroom property may only rent to 4 adults total (2 per bedroom + 2), and a 10-bedroom property may only rent to

10 related adults total at one time.

14. Despite this rule, Defendant has knowingly and routinely rented the Property out to far more people than permitted by law. STR rental operators may not advertise or promote, or allow another to advertise or promote, an STR without including the applicable occupancy limit for the STR. *See* Austin City Code Chapter 25-2-794(E)(2). An owner, or a person in control of an STR, may not advertise or promote, or allow another to advertise or promote, the dwelling as a short-term rental if the dwelling is not licensed by the director as a short-term rental. *See* Austin City Code Chapter 25-2-794(F). Finally, a licensee or operator may not advertise or promote, or allow another to advertise or promote, a short-term rental in violation of the City Code or state law. *See* Austin City Code Chapter 25-2-794(G).

#### The Properties

- 15. In 2009, Robert Reeves, Plaintiff, and his wife purchased their home located in Travis Heights a historic, residential neighborhood in Austin with no commercial establishments or buildings within its boundaries. The Reeves were excited to move back to Central Austin to raise a family, and in 2010 they decided to renovate the home to maintain the aesthetic of the historic Austin neighborhood. Defendant's property, located at 903 Edgecliff Terrace, Austin, Texas 78704 (hereinafter the "Property") is across the street and approximately 100 feet from Plaintiff's home.
- 16. In January of 2014, Defendant began illegally renting out the Property as a short-term rental. That same month, he was reported to the City of Austin Code Department

and an investigation into the violations began. *See* Exhibit "A". City investigators confirmed over a 3-month period that Defendant had repeatedly violated the Cody by operating the Property as a short-term rental without a license. *Id* at AC0001-2. On or about April 24, 2014, Defendant was first cited for his violation. *Id*. at AC0002. Defendant was, however, undeterred and only a week later was again observed illegally renting out the Property. *Id*.

- 17. On or about December 29, 2014, City inspectors again discovered Defendant's illegal use of the Property as a short-term rental and filed the appropriate criminal charge. *Id.* On May 14, 2015, Defendant pled 'no contest, guilty' to the charges and paid the required \$250.00 fine. *Id* at AC0003.
- 18. Unfortunately, the price of guilt was not high enough to deter Defendant's continued, brazen violations of the Code. On or about October 12, 2015, the City began another investigation into Defendant's use of the Property as an illegal short-term rental. *Id* at AC0008-9. That same day, investigators spoke with a woman named Meagan who stated that she was the property manager and that she and her boyfriend were living at the Property. *Id.* This seems to have been untrue, however, as just 3 weeks later another inspection of the Property led to a conversation with yet another, different short-term renter that found and rented the property on AirBNB. *Id.*
- 19. On or about November 14, 2015, investigators met yet another, different individual that was renting the Property as a short-term rental. *Id*. He, along with 11 other people, were renting the Property for 3 weeks. *Id*. On or about November 24, 2015, the investigator left another warning on the Property and noted that the next step would an

administrative hearing. *Id.* On or about February 4, 2016, the investigator searched and found the Property, yet again, available online for rent as a short-term rental in violation of the Code. *Id.* 

- 20. On or about April 8, 2016, Defendant finally applied for a Type I short-term rental license. However, due to the ongoing investigation into his violations of the short-term rental laws, the license was not approved, *See* Exhibit "B".
- 21. Despite not having a valid license, Defendant continues to illegally advertise and rent the Property out as a short-term rental capable of sleeping up to 16 people. A quick search of Defendant's listing of the Property shows that it is still available for rent on AirBNB.com and VRBO.com. *See* Exhibit "C".
- 22. From January 2014 to present, Defendant has regularly rented the Property as a party house to large groups of people. Mr. Reeves and his family, living only feet from the party house, have been repeatedly inundated with loud noise, traffic, and trash strewn about the neighborhood. Despite the fact that Mr. Reeves' home was recently remodeled with modern insulation, he is regularly forced to move himself, his wife, and his son to different rooms of his home in an effort to escape the lights and noise associated with Defendant's STR tenants.
- 23. It is clear from Defendant's history that he has no regard for the laws the City of Austin has instituted in an effort to protect its residents. Defendant has unabashedly promoted and rented his Property in direct violation of the Code for years because the cost and risk of doing so is not outweighed by the profits he has received. All the while, Mr.

Reeves and his family are forced to live next to a party house in the quiet, historic, residential neighborhood they joined and protected in 2009.

#### V. PRIVATE NUISANCE

- 24. Mr. Reeves incorporates by reference the factual allegations contained in the preceding paragraphs.
- 25. Mr. Reeves is a private individual that owns the real property located at 1000 Alta Vista Avenue, Austin, Texas 78704.
- 26. Defendant owes a duty to his neighbors, including Plaintiff, to use his property for residential purposes only and maintain an appropriate level of noise, lighting, guests, and social activity in line with a relatively peaceful neighborhood environment.
- 27. Defendant intentionally, negligently, and/or unreasonably interfered with and invaded Plaintiff's property when Defendant rented out the 903 Edgecliff Property without an STR license in violation of the City Code; advertised/promoted the 903 Edgecliff Property as capable of housing more than 10 related adults in violation of the City Code; and, through the illegal STR, caused excessive light and noise pollution to enter Mr. Reeves' property, as well as cause dangerous conditions on and around Mr. Reeves' property as a result of excessive vehicles blocking ingress and egress on public streets. Defendant's actions interfered with and invaded Mr. Reeves' interests by conduct that was clearly out of place in its surroundings.

#### VI. Public Nuisance

28. Mr. Reeves incorporates by reference the factual allegations contained in the

preceding paragraphs.

29. Defendant's conduct resulted in an unreasonable interference with a right common to the general public. Specifically, Defendant's unlawful use of the 903 Edgecliff Property as a short-term rental has interfered with the right of ingress and egress along Edgecliff Terrace and Alta Vista Avenue. Defendant's repeated violations of the City Code continues to interfere, with his neighbors' rights to enjoy the area where the Property is located with relative peace and quiet typical of a zoned residential neighborhood.

#### VII. REQUEST FOR DECLARATORY JUDGMENT

- 30. Pursuant to Chapter 37 of the Texas Civil Practice & Remedies Code, Plaintiff seeks the following declaratory judgments in addition to the other claims and relief requested:
  - A. Defendant Bret Vance has been in violation of the City of Austin's Land Development Code, Chapter 25-2, Subchapter C, Article 4, Subpart C (Requirements for Short-Term Rental Uses) since 2013, because he has rented the property at 903 Edgecliff Terrace, Austin, Texas 78704 ("the Property"), to guests for less than 30 days on multiple occasions and without obtaining the proper STR License from the Austin Code Department.
  - B. Specifically, Defendant Bret Vance's actions operating the Property as a short-term rental since 2013 violate the Austin City Code secs. 25-2-788, 25-2-789, 25-2-791, and 25-2-794.
  - C. Defendant's actions operating the Property as a short-term rental since 2013 and allowing large gatherings and parties to take place at the Property constitute a private nuisance, as Defendant's actions have substantially interfered with the use and enjoyment of Plaintiff's land by causing unreasonable discomfort or annoyance to Plaintiff and his family.
  - D. Defendant's actions operating the Property as a short-term rental since 2013 and allowing large gatherings and parties to take place at the Property constitute a public nuisance, as Defendant's actions have interfered with the

rights of the other residents and the general public to use the public areas surrounding the Property, including roads and walkways, without the vehicular and pedestrian traffic, noise, and overall interference and commotion caused by numerous guests and parties in a zoned residential neighborhood.

31. Plaintiff also seeks all reasonable and necessary attorney's fees and costs as provided by Tex. Civ. Prac. & Rem. 37.009.

#### VIII. DAMAGES

- 32. Defendant's actions constituting private and public nuisance are the actual and proximate cause of Mr. Reeves' injuries, which have resulted in the following damages:
  - A. Damages for the lost use and enjoyment of Mr. Reeves' property;
  - B. Damages for the reduced value of Mr. Reeves' property; and
  - C. Unliquidated damages within the jurisdictional limits of this Court.

#### IX. EXEMPLARY DAMAGES

33. Mr. Reeves' injuries resulted from Defendant's gross negligence or malice, which entitles Mr. Reeves to exemplary damages under Texas Civil Practice & Remedies Code section 41.003(a).

#### X. <u>INJUNCTIVE RELIEF</u>

- 34. Mr. Reeves seeks a temporary and permanent injunction preventing Defendant from advertising, promoting, or renting the property located at 903 Edgecliff Terrace, Austin, Texas 78704 as a short-term rental.
- 35. Mr. Reeves is likely to succeed on the merits of this lawsuit because Defendant's illegal conduct up to, and including, the date of this filing is clearly evidenced

via City records, online publications, and the testimony of non-party witnesses.

- 36. Unless the Honorable Court temporarily restrains Defendant until a final trial on the merits of Mr. Reeves' case, Mr. Reeves will suffer irreparable injury, for which there is no adequate remedy at law to give him complete, final, and equitable relief. More specifically, Mr. Reeves will show the Court the following:
  - A. The harm to Mr. Reeves is imminent because Defendant regularly advertises, promotes, and rents the Property to large, illegal groups of short-term renters, and will continue to do so with complete disregard for Mr. Reeves' property rights as they have done in the past.
  - B. The imminent harm will cause Mr. Reeves irreparable injury in that Defendant's actions are likely to cause additional, continuous, real property, as well as personal and emotional, injury to Mr. Reeves for which he cannot be adequately compensated by money damages.
  - C. There is no adequate remedy at law which will give Mr. Reeves complete, final, and equitable relief because the nature of the harm caused by Defendant; namely, the continuous deprivation of the use and quiet enjoyment of Mr. Reeves' home cannot be repaired by a monetary award, but rather must be stopped immediately to end the harm currently done to Mr. Reeves and his family.
- 37. Defendant's aforementioned wrongful and illegal acts interfered with and invaded, and continue to interfere with and invade, Mr. Reeves' interests. Mr. Reeves has a probable right to relief for the private and public nuisance that is the direct result of Defendant's blatant violations of the law and documented, ongoing acts creating the nuisance. Should Defendant not be restrained, Mr. Reeves and his family will undoubtedly continue to suffer irreparable injury by the denial of the use and enjoyment of their home as well as the denial of ingress and egress, for which there is no adequate remedy at law.
  - 38. Mr. Reeves requests the Court to enjoin Defendant from advertising,

promoting, or renting the property located at 903 Edgecliff Terrace, Austin, Texas 78704 as a short-term rental.

- 39. It is essential that the Court temporarily enjoin Defendant from these acts until final trial on the merits of Mr. Reeves' case is held. In order to preserve the status quo during the pendency of this action, Defendant should be cited to appear and show cause why he should not be temporarily enjoined from advertising, promoting, or renting the property located at 903 Edgecliff Terrace, Austin, Texas 78704 as a short-term rental.
- 40. On a final trial on the merits, Mr. Reeves requests that the Court permanently enjoin Defendant from advertising, promoting, or renting the property located at 903 Edgecliff Terrace, Austin, Texas 78704 as a short-term rental.

#### XI. PRAYER

**WHEREFORE, PREMISES CONSIDERED**, Plaintiff, Robert Reeves, respectfully prays that:

- 1. After notice and hearing, a temporary injunction will issue enjoining and restraining Defendant, Defendant's officers, agents, servants, employees, successors and assigns, and attorneys from directly or indirectly advertising, promoting, or renting the property located at 903 Edgecliff Terrace, Austin, Texas 78704 as a short-term rental;
- 2. The Court set a reasonable bond for the temporary injunction;
- 3. After trial on the merits, the Court permanently enjoin Defendant, Defendant's officers, agents, servants, employees, successors and assigns, and attorneys from directly or indirectly advertising, promoting, or renting the property located at 903 Edgecliff Terrace, Austin, Texas 78704 as a short-term rental;
- 4. After trial on the merits, the Court enter declaratory judgment that Defendant is in violation of the Austin City Code and is committing a private and public

nuisance by operating the Property as a short-term rental;

- 5. After trial on the merits, judgment be entered for Plaintiff against Defendant for damages in an amount within the jurisdictional limits of the Court; exemplary damages, together with pre-judgment interest at the maximum rate allowed by law, post-judgment interest at the legal rate, costs of court; and
- 6. The Court award reasonable and necessary attorney's fees as provided for Declaratory Judgment actions under Chapter 37 of the Texas Civil Practice and Remedies Code;
- 7. The Court award Plaintiff costs and such other relief to which the Plaintiff may be entitled at law or in equity.

Respectfully submitted,

AMINI & CONANT, LLP

408 West 11th Street, 5th Floor Austin, Texas 78701

Tel. (512) 222-6883 Fax. (512) 900-7967

Texas Bar No. 24068915 neema@aminiconant.com

R. Alex Conant

Texas Bar No. 24074061 alex@aminiconant.com

Attorneys for Plaintiff

Robert Reeves

#### **CERTIFICATE OF SERVICE**

By my signature above, I hereby certify that a true and correct copy of the foregoing pleading has been served on all counsel of record in accordance with Rules 21 & 21a of the Texas Rules of Civil Procedure on December 20, 2018.

## Ехнівіт "А"



## **City of Austin**

## **Austin Code Department**

Summary of Complaint CC-2014-008624

#### **COMPLAINT INFORMATION**

Case Status: Active

Address: 903 EDGECLIFF TER 78704

**Legal Description:** LOT 8 \*& W25FT OF LOT 7 BLK 52 TRAVIS HEIGHTS

**Property Owner(s):**Not Recorded - Owner

Complaint Date: January 29, 2014

Complaint: citizen states that he has called about this before and it is a illegal license short term rental

10/15/14- illegal str ongoing issue

#### INSPECTION INFORMATION

#### Investigator Assignment(s)

Michael Reeves assigned on January 29, 2014
Transferred to Marcus Elliott - ELLIOTMA on May 24, 2014

Case Log

COMMENT

DATE

STAFF NAME

ACTION TAKEN

02/01/2014 Kesha Moore

Insp/In process/Monitoring

I conducted an exterior inspection of the residential property and didn't observe any activity.

02/06/2014 Jim Richerson

Insp/In process/Monitoring

On Thursday February 6, 2014 at 12:30 pm I observed no STR activity at this address. I knocked on the door but no one answered, I left my card at the door. I observed one car parked at the apartment in the back yard and observed it had Texas license plates. I also noticed a lock box on the front door.

I checked different websites such as Trulia to see if the property was for sale, but I was unable to find any listing for 903 Edgecliff Terrace. JR

02/12/2014 Marcus Elliott

Information Update

On 2/12/2014, I received an email, which included two Craigslist advertisements for 903 Edgecliff Terrace. Will contact number listed in ads for additional information. See document tab.

02/12/2014 Marcus Elliott

Manager/Contact Contacted

On 2/12/2014 (4:07 p.m.), I left a voicemail message, on the phone number listed in the ad, requesting a return call.

02/15/2014 Marcus Elliott

**Inspection Performed** 

On 2/15/2014 (11:03 a.m.), I arrived at 903 Edgecliff Ter to investigate a complaint regarding an unlicensed short-term rental. No one responded to several knocks on the front door. Will continue to monitor location. Photos taken.

03/07/2014 Jim Richerson

Insp/In process/Monitoring

3-7-14 at 12:47 I knocked on the door but no one answered, I took a photo and attached and updated AMANDA. I did not see any STR activity or any trash or debris. JR

03/17/2014 Jim Richerson

Insp/In process/Monitoring

On 3-14-14 at 12:29 pm I talked to a group of people from out town that were renting the property for SXSW. Photos attached. JR

03/17/2014 Jim Richerson

Insp/In process/Monitoring

3-15-14 at 12:13 pm I completed another drive by inspection per Marcus Elliott. The same group was there from previous day. Photos attached. JR

04/24/2014 Marcus Elliott

Insp / Violation(s) Found

On 3-14-14 at 12:29 pm, I talked to a group of people from out town that were renting the property for SXSW. Per Ordinance No. 20130926-144, a person may not operate a Short-Term Rental (STR) without an operating license. A notice of violation will be mailed to the owner. Photos taken.

04/24/2014 Marcus Elliott

Send CV Notice

Notice of violation mailed to the owner.

05/01/2014 Marcus Elliott

Follow-up Inspection

On 4/26/2014 (10:01 a.m.), Inspector Leah Morgan arrived at 903 Edgecliff Terrace to conduct a follow-up inspection. According to Inspector Morgan, six people were staying in the front house. The occupants told Inspector Morgan that they were renting the location for the weekend. Photos taken.

05/24/2014 Kesha Moore

Follow-up Inspection

I conducted an exterior inspection of the residential property and didnt observe any activity. Monitor. Photos taken.

08/27/2014 Marion Wynn

Follow-up Inspection

On 27 Aug 14, I went to the residence at 9:59 am. I observed one vehicle (small pick-up) parked in front of the guesthouse and one in front of the residence. There was a large pickup truck and van were across the street (they appear to be maintenance service vehicles). Photos taken.

08/27/2014 Marion Wynn

Follow-up Inspection

I returned to the residence on 27 Aug 14 at 12:34 pm, I knocked on the door but no one answered. I observed a different vehicle in front of the guesthouse. I left my contact information in the door. Photos taken.

09/15/2014 Marcus Elliott

Follow-up Inspection

On 9/13/2014 (11:16 a.m.), I arrived at 903 Edgecliff Terrace for a follow-up inspection. No one responded to several knocks on the front door. Two vehicles were parked on the street adjacent to the property. Photos taken.

12/29/2014 Marcus Elliott

Follow-up Inspection

On 12/27/2014 (10:12 a.m.), I arrived at 903 Edgecliff Terrace for a scheduled follow-up inspection. Evan Lovett and Sylvia Walton were renting the rear structure at this location. Mr. Lovett and Ms. Walton gave me permission to enter the unit to verify the owners were operating a Short-Term Rental (STR) without the required license. Since the owner did not comply with the notice of violation, this case will be prepared for legal action. Photos taken.

12/29/2014 Marcus Elliott

Information Update

According to the Secretary of State, Volume Trading, Inc., the owner of 903 Edgecliff Terrace, filed its Articles of Incorporation on Dec. 12, 2008, and Bret Vance was the initial director.

12/29/2014 Marcus Elliott

Information Update

According to the Secretary of State, Volume Trading, Inc., forfeited its charter, certificate or registration on Dec.

3, 2010. At that time, Bret Vance was still the only director of Volume Trading, Inc.

12/29/2014 Marcus Elliott Information Update

According to the Austin Energy database, an account is listed under the name, Santa Eulalia, Inc. (512) 444-4450.

12/29/2014 Marcus Elliott Information Update

According to the Secretary of State, Santa Eulalia, Inc., filed its Articles of Incorporation on Feb. 20, 2013, and Bret Vance was the initial director.

12/29/2014 Marcus Elliott

Information Update

Based on the information provided by the Secretary of State and Austin Energy, charges will be filed on Bret Vance for operating a Short-Term Rental (STR) without the required license. Forwarding the case for judicial action.

01/15/2015 Marcus Elliott

LC Review

01/23/2015 Sonja Prevo

Initial Proceeding(s) Completed

Filed affidavit with Austin Municipal Court.

02/19/2015 Sonja Prevo

Information Update

At the ENAD on 2.18.15 the Defendant failed to appear.

04/01/2015 Marcus Elliott

Information Update

On 4/1/2015, I reported this location to the State Comptroller's Enforcement Office for failure to pay the required hotel occupancy taxes. Austin Code confirmed the property was rented on the following dates: 3/14/2014, 4/26/2014 and 12/29/2014.

05/14/2015 Sonja Prevo

Information Update

At the ENAD on 5.13.15 the Defendant plead no contest, guilty and to pay a fine of \$250.00 by 6.13.15.

07/23/2016 Sonja Prevo

Closed due to Judicial / Admin Action

This case has been closed out in JEMS, therefore closing out the CL folder in AMANDA. Defendant plead guilty and paid fine. Cause no. 8222517.

#### **VIOLATIONS**

#### Structure Maintenance

#### Land Use

Austin City Code Section: Short-Term Rental (Type 2) Regulations (§25-2-789)

Violation: A person must obtain a license prior to operating a Short-Term Rental (STR).

Date Observed: 03/14/2014

Status: Not Cleared

#### **Property Abatement**

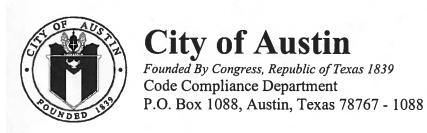
#### **NOTICES**

Notice of Violation to (Owner)

Mail sent certified 7013 2630 0002 0463 0357 on April 25, 2014

Mail sent regular on April 25, 2014

Received / signed by Karen F. on April 28, 2014



April 24, 2014

**NOTICE OF VIOLATION** 

via Certified Mail # 7013 2630 0002 0463 0357

Volume Trading, Inc. % Lawrence & Stenson Law 510 S Congress Ave Ste 108 Austin, Texas 78704-1737

RE: 903 EDGECLIFF TER 78704

Legally described as LOT 8 \*& W25FT OF LOT 7 BLK 52 TRAVIS HEIGHTS Zoned as SF-3-NP Parcel Number 0301040302

Dear Volume Trading Inc.:

An investigation by the City of Austin's Code Compliance Department was conducted relating to the property indicated above and violations of Austin City Code were found that require your immediate attention. An investigation report is enclosed which defines the code violation(s) found with required remedies for attaining compliance with the City Code.

After receipt of this notice, you may not sell, lease, or give away this property unless you have provided the buyer, lessee, or other transferee a copy of this notice, and provided the name and address of the buyer to the Code Official. Also, it is a misdemeanor to rent this property if the code violation(s) on this property pose a danger to the health, safety and welfare of the tenants.

If you have any questions, please contact me by telephone at 512-974-1951 between 7:30AM - 4:00PM. You may leave a voicemail message at any time.

Si usted tiene alguna pregunta, contácteme por favor por teléfono en 512-974-1951 de lunes a viernes o puede dejar un mensaje de correo vocal en cualquier momento.

#### **Ownership Information**

According to the applicable records of the County, you own the real property described in this notice. If you no longer own this property, you must execute an affidavit stating that you no longer own the property and stating the name with the last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to our office not later than the 20th day after the date you receive this notice. If you do not submit an affidavit, it will be presumed that you own the property described in this notice, even if you do not.

An affidavit form is available at our office located at 1520 Rutherford Lane. An affidavit may be mailed to:

City of Austin
Code Compliance Department
P.O. Box 1088
Austin, Texas 78767

Additionally, if this property has other owner(s), please provide me with this information.

#### Failure to Correct

If a violation is not corrected, any existing site plan, permit, or certificate of occupancy may be suspended or revoked by the City. If the site plan, permit or certificate of occupancy is suspended or revoked, the utility service to this property may be disconnected.

If the violation continues, the City may take further legal action to prevent the unlawful action as authorized by State law and may seek civil injunctions or penalties in State court.

For dangerous or substandard buildings, the City may also take further action to require the vacation, relocation of occupants, securing, repair, removal or demolition of a building.

If the violations are not brought into compliance within the timeframes listed in the investigation report, criminal charges may be filed against you in the City of Austin Municipal Court subjecting you to fines of up to \$2,000 per violation, per day.

#### **Complaints**

To register a complaint regarding a Code Compliance Department investigator, you may submit your complaint in writing no later than 3 days after receipt of this letter to:

City of Austin Code Compliance Department Manager P.O. Box 1088 Austin, Texas 78767

Sincerely,

Marcus Elliott, Assistant Division Manager

Code Compliance Department

Case CV-2014-041821

#### **INVESTIGATION REPORT**

Investigator: Marcus Elliott Case: CV-2014-041821

Address: 903 EDGECLIFF TER 78704

Zoned as SF-3-NP

The item(s) listed below are in violation of the Austin City Code. A required remedy may be specified after a violation and may include a time period for compliance. If no required remedy is specified for a violation, the **Required Remedy Summary** will be in effect. For questions concerning residential property, please contact the Zoning Review Division at (512) 978-4000. For questions concerning commercial property, please contact the Development Assistance Center (DAC) at (512) 974-6370.

#### LAND USE

Code Section: Short-Term Rental (Type 2) Regulations (§25-2-789)

Description of Violation: A person must obtain a license prior to operating a Short-Term Rental (STR).

Date Observed: March 14, 2014 Status: Not Cleared

Required Remedy: Obtain a Short-Term Rental (STR) License within 14 days.

#### **Required Remedy Summary**

Obtain a Short-Term Rental (STR) License in 14 days

**NOTE:** The time period(s) indicated in this summary reflect the total time allowed for compliance. A time period indicated in an individual violation's required remedy is the actual time allowed for compliance of that individual violation. If no time period is indicated in an individual violation's required remedy, the summary time period associated with the required remedy will be the time allowed for compliance.

#### **Appeal**

A person may appeal a Stop Work Order to the City of Austin's Code Official. A written appeal must be filed no later than 3 days after the posting of the Order and contain:

- the name and address of the appellant;
- a statement of facts;
- the decision being appealed; and
- the reasons the decision should be set aside.

An appeal may be delivered in person to Code Compliance Department located at 1520 Rutherford Lane, Building 1-Security Desk or mailed to:

Code Official Code Compliance Department P.O. Box 1088 Austin, Texas 78767



## **City of Austin**

## **Austin Code Department**

Summary of Complaint CC-2015-123318

#### **COMPLAINT INFORMATION**

Case Status: Active

Address: 903 EDGECLIFF TER 78704

**Legal Description:** LOT 8 \*& W25FT OF LOT 7 BLK 52 TRAVIS HEIGHTS

Property Owner(s):

VOLUME TRADING INC LAWRENCE & STENSON LAW - Owner

510 S CONGRESS AVE STE 108 AUSTIN TX78704 1737

Complaint Date: October 12, 2015

Complaint: Short Term Rental Complaint- Unlicensed STR that is over occupancy. Again.

#### **INSPECTION INFORMATION**

#### Investigator Assignment(s)

Irma Ybarra assigned on October 12, 2015
Transferred to Paul Estrada - ESTRADAP on January 7, 2016

#### Case Log

DATE COMMENT STAFF NAME

**ACTION TAKEN** 

10/12/2015 Paul Estrada

Information Update

I went out on initial inspection and arrived at location. I knocked on the door and spoke to Meagan who advised me that she was the property manager. I asked her if the property is being rented out as a short term rental. She advised me that it wasn't and that her and her boyfriend were the only ones living at location. I did advise her of complaint over the weekend and that if property is being used as a short term rental that it needed to cease and to obtain a license. I did give her my business card and she said that she would give it over to owners. I did do research and found that property is Pending for STR license.

11/03/2015 Paul Estrada

Insp / Violation(s) Found

I went out on follow up inspection and arrived at location. I knocked on the door and observed 2 female and 2 male renters. I spoke to one of the male renters and I informed him of my visit. He advised that he rented this location on airbnb. I asked how many are staying on property and he advised 11, 13 was the original plan but 2 decided not to come. He also informed me that they will be leaving on 11.05.15 but will return 11.08.15 - 11.19.15. I informed them of city ordinance of noise, parking and trash/rubbish on property due to it be a residential area. Pictures were taken of airbnb confirmation stay.

11/03/2015 Paul Estrada

Send CV Notice

I went out on follow up inspection and arrived at location. I knocked on the door and observed 2 female and 2 male renters. I spoke to one of the male renters and I informed him of my visit. He advised that he rented this location on airbnb. I asked how many are staying on property and he advised 11, 13 was the original plan but 2 decided not to come. He also informed me that they will be leaving on 11.05.15 but will return 11.08.15 - 11.19.15. I informed them of city ordinance of noise, parking and trash/rubbish on property due to it be a residential area. Pictures were taken of airbnb confirmation stay.

11/14/2015 John Hale

Follow-up Inspection

11-14-15 Saturday STR inspection. I approached the house and met with a German gentleman, Mits Karlsson +491732779282(Germany number). He advised he is renting the house with 11 others for 3 weeks and is leaving next week. He advised he has rented it before from Airbnb.

11/17/2015 Paul Estrada

Information Update

Airbnb ad. https://www.airbnb.com/rooms/2663425

11/24/2015 Paul Estrada

Citation/ Warning Preparation

On 11.24.15 I went out to property to issue a admin. warning for continuing short term rental after receiving notice of violation letter and continuing without operating license. I arrived at location and knocked on the door. I knocked several times. No answer. I then continue to write out admin warning and posted the admin. warning to the door. I took pictures of property with admin. warning posting. This properties next step is administrative hearing.

02/04/2016 Paul Estrada

Information Update

I researched property online and found that property still remains in violation due to advertising on airbnb. https://www.airbnb.com/rooms/2663425. See attachements

#### **VIOLATIONS**

#### Structure Maintenance

#### Land Use

Austin City Code Section: Short-Term Rental (Type 2) Regulations (§25-2-789)

Violation: This section applies to a short-term rental use that is not owner-occupied and is not associated with an owner-occupied principal residential unit. A short-term rental use under this section may not include the rental of less than an entire dwelling unit, operate without a license as required by Section 25-2-790 (License Requirements), or operate without providing notification to renters as required by Section 25-2-791 (Notification

Requirements).

Date Observed: 11/04/2015

Status: Not Cleared

#### **Property Abatement**

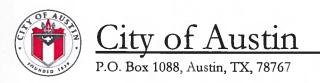
#### **NOTICES**

Notice of Violation to VOLUME TRADING INC LAWRENCE & STENSON LAW (Owner)

Mail sent certified 7014-1200-0000-6489-0361 on November 5, 2015

Mail sent regular on November 5, 2015

Received / signed by 11-10-15 John Stenson on November 17, 2015





#### **NOTICE OF VIOLATION**

Case Number: CV-2015-133073 via Certified Mail #7014-1200-0000-6489-0361

November 5, 2015

Volume Trading, Inc. Lawrence & Stenson Law 510 S. Congress Avenue, Suite 108 Austin, Texas 78704-1737

RE:

903 EDGECLIFF TER AUSTIN TX 78704

Legally described as LOT 8 \*& W25FT OF LOT 7 BLK 52 TRAVIS HEIGHTS

Zoned as SF-3-NP

Parcel Number 0301040302

Dear Volume Trading, Inc. Lawrence & Stenson Law:

The City of Austin Code Department investigated the property described above. Austin City Code violations were found that require your immediate attention. A description of the violation(s) and compliance timeframe(s) are provided in the attached violation report.

After receipt of this Notice, and until compliance is attained, the Austin City Code prohibits the sale, lease, or transfer of this property unless:

- You provide the buyer, lessee, or other transferee a copy of this Notice of Violation; and
- You provide the name and address of the buyer, lessee, or other transferee to the Code Official.

For additional information, I can be reached at 512-974-2329 or Paul.Estrada@austintexas.gov. Please reference **case number** CV-2015-133073. Hours of operation are: Monday – Friday, 7:30 a.m. - 4:00 p.m.

Para obtener más información, llame al 512-974-2329 o enviar un correo electrónico a Paul.Estrada@austintexas.gov. Por favor, consulte caso número CV-2015-133073. El horario de atención es: lunes a viernes, 7:30 a.m. - 4:00 p.m.

Sincerely,

Paul Estrada, Austin Code Officer

20.3

City of Austin Code Department

#### **VIOLATION REPORT**

Date of Notice: November 5, 2015

Code Officer: Paul Estrada
Case Number: CV-2015-133073

**Property Address:** 903 EDGECLIFF TER AUSTIN TX 78704

Locally known as 903 EDGECLIFF TER AUSTIN TX 78704

Zoned as SF-3-NP

The items listed below are violations of the Austin City Code, and require your immediate attention. If the violations are not brought into compliance within the timeframes listed in this report, enforcement action may be taken. Timeframes start from the Date of Notice.

#### **Violation Type: LAND USE**

Austin City Code Section: Short-Term Rental (Type 2) Regulations (§25-2-789)

Description of Violation: This section applies to a short-term rental use that is not owner-occupied and is not associated with an owner-occupied principal residential unit. A short-term rental use under this section may not include the rental of less than an entire dwelling unit, operate without a license as required by Section 25-2-790 (License Requirements), or operate without providing notification to renters as required by Section 25-2-791 (Notification Requirements).

Date Observed: 11/03/2015

Recommended Resolution: Observed this location operating a Short Term Rental without valid license. Cease operation of unlicensed short term rental.

**Notes:** Permit violations require the permit(s) to be issued and all required inspections to be completed to attain compliance. For questions concerning land use violations, please contact the Development Services Department at 512-978-4000. You can also visit

http://www.austintexas.gov/department/development-services for more information.

If a stop work order was posted on your property, a copy is enclosed. If you visit the Development Services Department, please bring the enclosed copy of the Stop Work Order, not the one posted on the property.

**Appeal:** A person may appeal a Stop Work Order to the City of Austin's Code Official. An appeal must be in writing and delivered or mailed no later than **3 days** after the Order is posted. An appeal must contain **all** of the following:

- a brief statement as to why the violation is being appealed
- any facts that support the appeal
- a description of the relief sought
- the reasons why the appealed notice or action should be reversed, changed, or set aside
- the name and address of the appellant

An appeal may be delivered in person to the Austin Code Department located at ,1520 Rutherford Lane Building 1 or mailed to: City of Austin Code Department, ATTN: Code Official, P.O. Box 1088, Austin, Texas 78767.

#### **IMPORTANT INFORMATION**

#### **Failure to Correct**

If the violations are not brought into compliance within the timeframes listed in the violation report, enforcement action may include:

- Criminal charges in the City of Austin Municipal Court subjecting you to fines of up to \$2,000 per violation, per day.
- Civil penalties in an Administrative Hearing subjecting you to fines of up to \$1,000 per violation, per day, along with additional fees.
- Suspension or cancelation of existing site plan, permit or certificate of occupancy. If the site plan, permit or certificate of occupancy is suspended or revoked, the utility service to this property may be disconnected.
- Civil injunctions or penalties in State court.
- For dangerous or substandard buildings, the City of Austin may also take action with the Building and Standards Commission (BSC) to order the vacation, relocation of occupants, securing, repair, removal or demolition of a building, and civil penalties.

#### Ownership Information

According to the records of the County, you own the property described in this notice. If this property has other owners, please provide me with this information. If you no longer own this property, you must execute an affidavit form provided by our office. This form should state that you no longer own the property, the name of the new owner, and their last known address. The affidavit must be delivered in person or by certified mail, with return receipt requested, to the Austin Code Department office no later than 20 days after you receive this notice. If you do not submit an affidavit, it will be presumed that you own the property described in this notice.

An affidavit form is available at <a href="www.austintexas.gov/code-resources">www.austintexas.gov/code-resources</a>, or at the Austin Code Department office at 1520 Rutherford Lane. The completed affidavit should be mailed to: City of Austin Code Department, P.O. Box 1088, Austin, Texas 78767.

#### **Appeals and Complaints**

You may file a written appeal of this Notice of Violation to the Austin Code Department. Refer to the **Violation Report** attached to review the appeal process as it relates to the specific violation noted. Please reference your case number and how the property is now in compliance with the Austin City Code. An appeal may be delivered in person to our office located at 1520 Rutherford Lane or mailed to: **City of Austin Code Department, ATTN: Code Official, P.O. Box 1088, Austin, Texas 78767**.

You may file a written complaint or commendation regarding an Austin Code Department Officer no later than 3 days after you receive this notice. Please reference your case number. The complaint or commendation should be mailed to: City of Austin Code Department, ATTN: Code Official, P.O. Box 1088, Austin, Texas 78767.



## **City of Austin**

## **Austin Code Department**

Summary of Complaint CC-2016-084928

#### **COMPLAINT INFORMATION**

Case Status: Active

Address: 903 EDGECLIFF TER 78704

Legal Description: LOT 8 \*& W25FT OF LOT 7 BLK 52 TRAVIS HEIGHTS

Property Owner(s): Vance Bret - Owner PO Box 163361 Austin, TX 78716

Complaint Date: July 19, 2016

Complaint: Short Term Rental without an Operating License

#### INSPECTION INFORMATION

#### Investigator Assignment(s)

Irma Ybarra assigned on July 19, 2016
Transferred to Marco Ramos - RAMOSMAR on July 19, 2016

Case Log

DATE

STAFF NAME

**ACTION TAKEN** 

COMMENT

06/18/2016 Marco Ramos

AH Citation Prep

An Administartive Citation was issued for OPerating without a license.

06/18/2016 Marco Ramos

Insp / Violation(s) Found

This case was to be craeted on June 20th, 2016. It has been delayed in creation and assignment but the violation was cited with an ADministrative Citation on Saturday June 18, 2016 for Operating without a license. The following was taken from the activity log of the STR weekend email log for June 18th:

Arrived at the premise 903 Edgecliff Terrace and spoke to Alex Ream who stated he and 8 other people were staying at the premise from 6 16 2016 thru 6 19 2016. No loud noises or sounds. No lights or vehicles observed. M Ramos wrote and posted on the front structure a AH citation (Ticket # 001315) to owner of record according to TCAD Mr. Bret Vance.

06/18/2016 Marco Ramos

Information Update

At the time of inspection, there is a pending OL but not an active one.

07/19/2016 Marco Ramos

Send CV Notice

#### **VIOLATIONS**

#### Structure Maintenance

#### **Land Use**

Austin City Code Section: Short-Term Rental (Type 1) Regulations (§25-2-788)

Violation: This section applies to a short-term rental use that is owner-occupied or is associated with an owner-occupied principal residential unit. A short-term rental use under this section may not include the rental of less than an entire dwelling unit, operate without a license as required by Section 25-2-790 (License Requirements), or operate without providing notification to renters as required by Section 25-2-791 (Notification Requirements). For a short-term rental use under this section, a secondary residential unit on the same property may be rented for periods of less than 30 consecutive days for an annual total of more than 90 days.

Nine people were staying at thsi property that does not have an active STR Operating License.

Date Observed: 07/19/2016 Status: Not Cleared

#### **Property Abatement**

#### **NOTICES**





#### **NOTICE OF VIOLATION**

Case Number: CV-2016-085058 via Certified Mail #7014 2120 0003 4986 7080

July 19, 2016

Vance Bret PO Box 163361 Austin, TX 78716

RE:

903 EDGECLIFF TER AUSTIN TX 78704

Locally known as 903 EDGECLIFF TER AUSTIN TX 78704

Legally described as LOT 8 \*& W25FT OF LOT 7 BLK 52 TRAVIS HEIGHTS

Zoned as SF-3-NP

Parcel Number 0301040302

Dear Vance Bret:

The City of Austin Code Department investigated the property described above. Austin City Code violations were found that require your immediate attention. A description of the violation(s) and compliance timeframe(s) are provided in the attached violation report.

After receipt of this Notice, and until compliance is attained, the Austin City Code prohibits the sale, lease, or transfer of this property unless:

- You provide the buyer, lessee, or other transferee a copy of this Notice of Violation; and
- You provide the name and address of the buyer, lessee, or other transferee to the Code Official.

For additional information, I can be reached at 512-974-1992 or Marco.Ramos@austintexas.gov. Please reference **case number** CV-2016-085058. Hours of operation are: Monday – Friday, 7:30 a.m. - 4:00 p.m.

Para obtener más información, llame al 512-974-1992 o enviar un correo electrónico a Marco.Ramos@austintexas.gov. Por favor, consulte caso número CV-2016-085058. El horario de atención es: lunes a viernes, 7:30 a.m. - 4:00 p.m.

Sincerely,

Marco Ramos, Austin Code Officer City of Austin Code Department

Mankon

#### **VIOLATION REPORT**

**Date of Notice:** 

July 19, 2016

Code Officer:

Marco Ramos CV-2016-085058

Case Number: Property Address:

903 EDGECLIFF TER AUSTIN TX 78704

Locally known as 903 EDGECLIFF TER AUSTIN TX 78704

Zoned as SF-3-NP

The items listed below are violations of the Austin City Code, and require your immediate attention. If the violations are not brought into compliance within the timeframes listed in this report, enforcement action may be taken. Timeframes start from the Date of Notice.

**Violation Type: LAND USE** 

Austin City Code Section: Short-Term Rental (Type 1) Regulations (§25-2-788)

Description of Violation: This section applies to a short-term rental use that is owner-occupied or is associated with an owner-occupied principal residential unit. A short-term rental use under this section may not include the rental of less than an entire dwelling unit, operate without a license as required by Section 25-2-790 (License Requirements), or operate without providing notification to renters as required by Section 25-2-791 (Notification Requirements). For a short-term rental use under this section, a secondary residential unit on the same property may be rented for periods of less than 30 consecutive days for an annual total of more than 90 days.

Nine people were staying at this property that does not have an active STR Operating License.

Date Observed: 07/19/2016 Timeframe to Comply: 10 Day(s)

Recommended Resolution: Cease renting the property as an STR without an Operating License or

Obtain the proper Operating License.

**Notes:** Permit violations require the permit(s) to be issued and all required inspections to be completed to attain compliance. For questions concerning land use violations, please contact the Development Services Department at 512-978-4000. You can also visit

http://www.austintexas.gov/department/development-services for more information.

#### **IMPORTANT INFORMATION**

#### **Failure to Correct**

If the violations are not brought into compliance within the timeframes listed in the violation report, enforcement action may include:

- Criminal charges in the City of Austin Municipal Court subjecting you to fines of up to \$2,000 per violation, per day.
- Civil penalties in an Administrative Hearing subjecting you to fines of up to \$1,000 per violation, per day, along with additional fees.
- Suspension or cancelation of existing site plan, permit or certificate of occupancy. If the site plan, permit or certificate of occupancy is suspended or revoked, the utility service to this property may be disconnected.
- Civil injunctions or penalties in State court.
- For dangerous or substandard buildings, the City of Austin may also take action with the Building and Standards Commission (BSC) to order the vacation, relocation of occupants, securing, repair, removal or demolition of a building, and civil penalties.

#### Ownership Information

According to the records of the County, you own the property described in this notice. If this property has other owners, please provide me with this information. If you no longer own this property, you must execute an affidavit form provided by our office. This form should state that you no longer own the property, the name of the new owner, and their last known address. The affidavit must be delivered in person or by certified mail, with return receipt requested, to the Austin Code Department office no later than 20 days after you receive this notice. If you do not submit an affidavit, it will be presumed that you own the property described in this notice.

An affidavit form is available at <a href="www.austintexas.gov/code-resources">www.austintexas.gov/code-resources</a>, or at the Austin Code Department office at 1520 Rutherford Lane. The completed affidavit should be mailed to: City of Austin Code Department, P.O. Box 1088, Austin, Texas 78767.

#### **Appeals and Complaints**

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You may file a written complaint or commendation regarding an Austin Code Department Officer no later than 3 days after you receive this notice. Please reference your case number. The complaint or commendation should be mailed to: City of Austin Code Department, ATTN: Code Official, P.O. Box 1088, Austin, Texas 78767.

## Ехнівіт "В"

#### <u>Department</u> > <u>Planning</u> > Interactive Development Review Permitting and Inspection

Public Search

**Issued Construction Permits** 

Web Help

**DevelopmentATX.com Home** 



### **FOLDER DETAILS**

**Permit/Case:** 2016-040631 OL

**Reference File Name:** 

**Description:** 

**Sub Type:** Short Term Rental Type 1

Work Type:

**Project Name:** 903 EDGECLIFF TER

Status: Cancelled

**Application Date:** Apr 8, 2016

Issued:

**Expiration Date:** 

Related Folder: No

PROPERTY DETAILS											
Number	Pre	Street	StreetType	Dir	Unit Type	Unit Number	City	State	Zip	Legal Desc	
903		EDGECLIFF	TER				AUSTIN	TX	78704	Address	

FOLDER FEES									
Fee Description	Fee Amount	Balance							
Operating Licenses Fee	\$235.00	\$235.00							
Notification/Renotification	\$50.00	\$50.00							

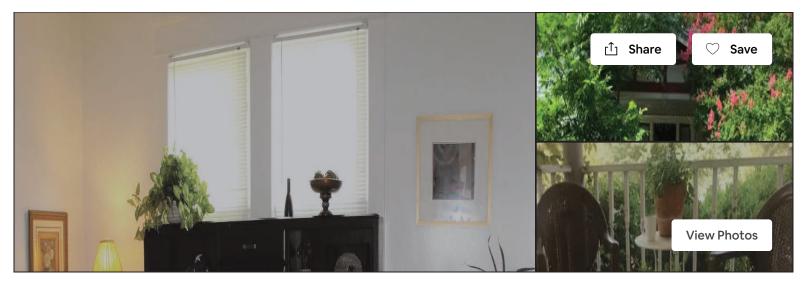
### **PROCESSES AND NOTES**

Process Description	Status	Start Date	Scheduled End Date	End Date	Assigned Staff	# of Attempts	
Application Intake	Closed	Jan 10, 2018	Apr 8, 2016	Jan 10, 2018	Marcus Elliott	1	

Back to Search Results

## EXHIBIT "C"





#### **ENTIRE HOUSE**

# Victorian Home on the Lake 1 mile to Downtown/SOCO

**Austin** 



- 16+ guests 7 bedrooms 8 beds 4 baths
- Great check-in experience 100% of recent guests gave this home's check-in process a 5-star rating.
- Self check-in Check yourself in with the lockbox.

One mile from downtown. Located in Travis Heights 78704 the coolest neighborhood in Austin right over the boardwalk on the river. 4 king 2 queen 2 twin beds. 3000+ sq ft, sleeps 16. Pets welcome. Walking distance to downtown and SOC

#### **Contact host**

#### **Amenities**

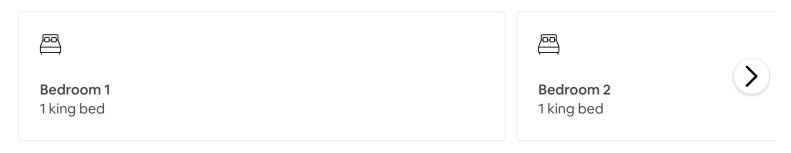
Hot tub

P Free parking on premises



#### Show all 38 amenities

### **Sleeping arrangements**

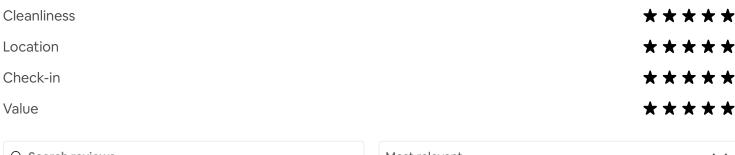


## **Availability**

Updated today

$\leftarrow$	[	Dece	mbe	r 201	8			January 2019					
Su	Мо	Τυ	We	Th	Fr	Sa	Su	Мо	Τυ	We	Th	Fr	Sa
						1			1	2	3	4	5
2	3	4	5	6	7	8	6	7	8	9	10	11	12
9	10	11	12	13	14	15	13	14	15	16	17	18	19
16	17	18	19	20	21	22	20	21	22	23	24	25	26
23	24	25	26	27	28	29	27	28	29	30	31		
30	31												

## 37 Reviews ★★★★



Q Search reviews

Most relevant





### J.Sam October 2018

Bret's house was great for a group of guys to get together in Austin. The house isn't fancy but has everything you need and plenty of space to not feel cramped. Communication with Bret and his house manager was easy and appreciated. The location is great for quick Uber rides to/from Austin hot spots. I would definitely stay again.



#### Response from Bret:

Great guests! Look forward to them returning next year.

October 2018



Noelle October 2018

P

It's quaint and in a quiet neighborhood. Super close to many great locations. Very walkable to downtown. Definitely recommend it!



**Brian**September 2018



Was a great house for my brother's bachelor party. Pictures advertised it very accurately. Bret was very communicative and his staff were hospitable.



Johnny June 2018



Bret was an awesome host. We were able to check-in/out without any issues and the house was clean. We were there for a guys weekend and the house was more than sufficient for 9 grown men, could've easily fit a few more. 5 minute uber ride to Rainey Street made exploring downtown super easy. Will definitely be back!



#### Response from Bret:

great guests!

June 2018



**Emily** November 2018



Good location, close to SoCo and downtown. Easy access to highway and river walk.



Noah May 2018 P

We had a great stay at this house for my bachelor party. The place is exactly as advertised and the service was excellent



Brad April 2018



Bret's place is exactly how you'd expect it. It feels a bit frat-house like in many ways, but it's also clean and in a fairly convenient location. It's a great value for what you get and provides plenty of room for large groups.





## **Hosted by Bret**

Austin, Texas, United States · Joined in March 2014



★ 139 Reviews ❖ Verified

I am the owner of the rental listed. Please don't hesitate to ask if you have any questions about the homes, or the Austin area in general, I'll be more than happy to answer them.

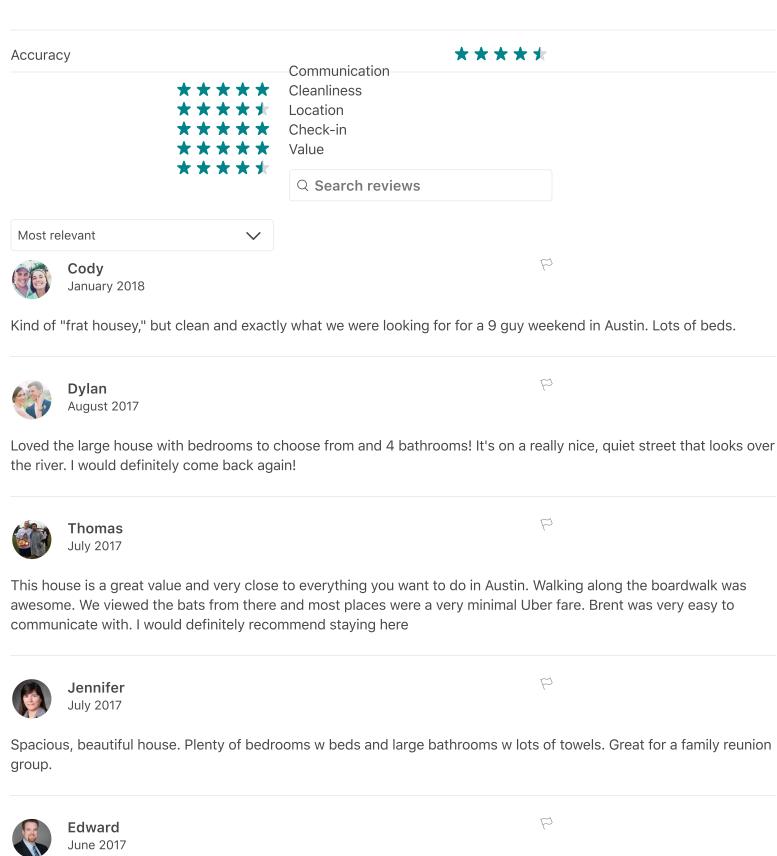
#### Bret supports the Living Wage Pledge

People who clean this host's listing are paid a living wage. Learn more

Contact host

Always communicate through Airbnb · To protect your payment, never transfer money or communicate outside of the Airbnb website or app. Learn more

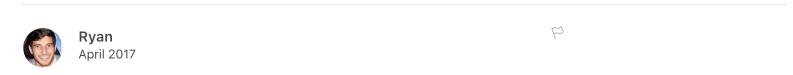
## 37 Reviews ★★★★



Bret is an amazing guy! His house is amazing, everything and more than we expected. He was very easy to reach if we needed anything. Bret also went above and beyond before the trip, answering any questions us newcomers (to Austin) had. I would definitely stay at Bret's place ...Read more



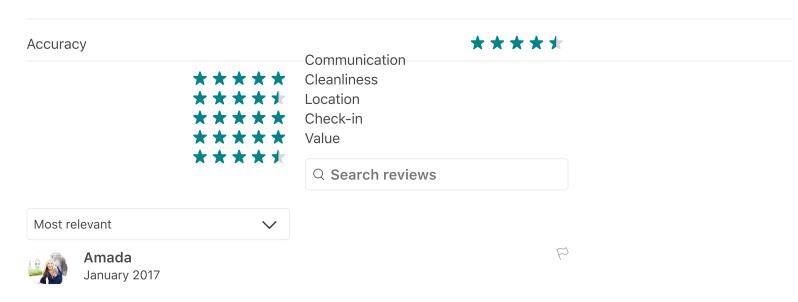
Bret went out of his way to ensure we had everything we needed. Great location and conveniently located near downtown with many great restaurants located nearby.



Massive house, awesome location and great host! This was perfect for a large bachelor party trying to navigate around Austin for a weekend. Would absolutely recommend for others.



## 37 Reviews ★★★★



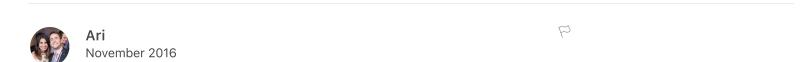
Perfect house for our business travels! Brett was very communicative and responsive. As well as flexible with our extended stay at the house. House is cozy and comfortable. Especially a long day of our work events. Highly recommend!



Bret was extremely responsive and nice. We had a couple of questions and a minor issue that he dealt with immediately. The house is spacious and served perfectly for our large group (college reunion) to stay. The location is excellent and it serves as a great home base for exploring Austin. Highly recommended.



Close to downtown. Spacious. We had some cold nights and heating wasn't very central. Older home with a few rough edges but it worked well for our needs. Hot tub wasn't really in commission for our needs. Host communicated quickly. Overall, we are happy with our stay.



Unbelievable house close to Downtown Austin! I stayed with Bret for my first Airbnb experience and I could not have asked for a better experience and host. The large house offered plenty of beds and rooms for my 10 person bachelor party and the location offered an easy walk to Rainey St and South Congress.



Scott December 2016 P

Exactly what we expected. Great location and good for large groups. No big issues with the house. I would stay there again.



Carlos October 2016



We got there and the house was open for us and everything was as advertised. Had a small issue with a neighbor taking some pictures and saying that the house did not have a permit for a short term lease. The city came out and left a citation on the door but not a major inconvenient. Brett was quick to respond and went the extra mile with an item left behind. Spacious house!



**J.P.** August 2016



What a great experience at Bret's home in Austin! A group of us were in town for a bachelor party, and we couldn't have asked for a better place. The house was large enough to accommodate our group of 16, with plenty of room to spare in the spacious common areas, wide front porch, and large back deck (with hot tub!). Bret was communicative and reachable throughout our stay, and he made sure that everything was just right for our big trip. The house was also in a great location; just across the river from Downtown (easy access by the cabs we took), but far enough away from the craziness for our downtime. Great experience.



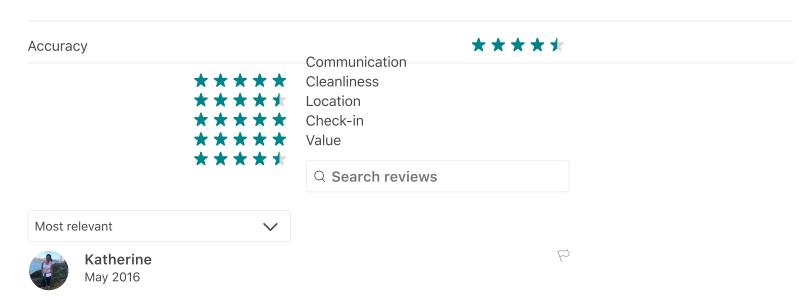


3

...

6

## 37 Reviews ★★★★



The house was huge and had real beds, not airbeds, in every room (a selling point for my large group!). Bret responded to all messages/texts promptly. Check in/check out was flexible and easy. House is a short ride (<2 miles) away from downtown, Rainey street, etc. Had a great time!



This place met my every expectation. From the plentiful sleeping areas, to the hot tub, to close proximity to popular attractions, and more. I was located a block from I-35 which gave me quick acess to Rainey street. I was excited and grateful to find that Bret was very helpful with all my questions. He respected my privacy to the maximum capacity. When I travel to Austin again, I will definitley rent from Bret again. Thank you from me and my guest!



This place is great for a large group of people (all guys in our situation). While it was amazing that one house could have so many bed rooms, each room was still fairly unique. There were plenty of towels and dishware. The appliances were very functional. At one point we wanted to use the hot tub, and shortly after we texted the host Bret, it was full

and hot. Great service. Great TV/living room area with plenty of room to watch the NBA playoffs on the large TV. Location was close to the downtown and 6th street area, about 10 minute drive, or 25 minute walk. We were also able to walk to Congress street in about 20-25 minutes, through a beautiful neighborhood. Plus Uber was easy all throughout the city. Great experience, thanks Bret! P Mandy

April 2016

was a large vintage home with plenty of rooms, beds and bathrooms to accommodate our party of 9. The location was good - just a quick hop to South Congress or downtown. The hot tub and grill were nice perks for hanging out outside. Bret was very responsive to any questions we had as well.



Kristen March 2016



This was amazing - our entire work team was at SXSW this year and we didn't want to be in a hotel. I found this gem and everyone got their own room. The location is perfect too, on the river, great views, 2 minutes to downtown but private and just removed enough from the noise. Brett was super-responsive and willing to accommodate our early check in as well and had a very relaxed check out process. Can't beat their 1 rule: don't go so hard/ turn up so much that the neighbors have to call the cops. That's pretty basic and should go without saying. If you can't keep that, please seek professional help. Katrina, the property manager, got us some local beer, a bottle of wine and little travel size liquor - including Fireball! When the internet didn't work, she had it fixed in under 20 minutes and responded instantly to all our questions. She keeps asking for feedback to improve but I'm not sure how that would be possible. Out of 10, this place goes to 11.



**Scott** August 2016



Easy in and out. Neighborhood is a little rustic. Had weird altercation with neighbors about renting in their neighborhood.



Andrew April 2015



Someone was there to meet us when we got there so getting into the house was easy. The house was clean and as large as expected. The neighborhood is nice and quiet and getting down to the path down by the river/lake is easy enough and worth checking out.



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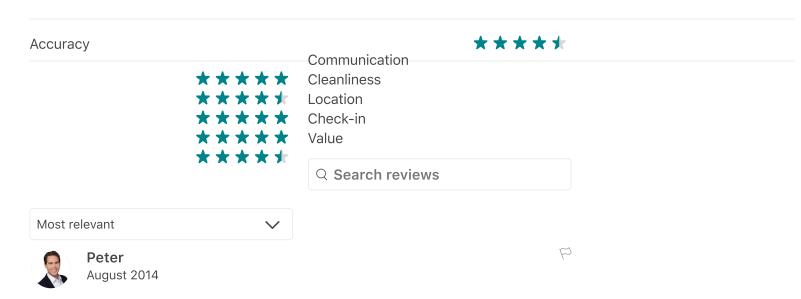
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## 37 Reviews ★★★★



Had a great stay. The host had a person handyman come by and fix an A/C unit that went out within hours of asking. The house is straight forward, close to downtown, Barton Springs, etc. Perfect for a large group needing individual bedrooms.



House was great and lived up to pictures and description. Host was also responsive and easy to work with.



We had a great stay at Bret's place in Austin. It's about a 10 min cab/30 minute walk to downtown so it's super easy to get wherever you need. I was staying at Bret's with 15 other guys for a bachelor party and there was plenty of space for everyone. Great common areas for big groups who are coming to Austin to have a good time. Bret was always quick to respond to questions and made sure we had everything we needed to maximize our stay here. I had a great stay and I'm sure you will as well.



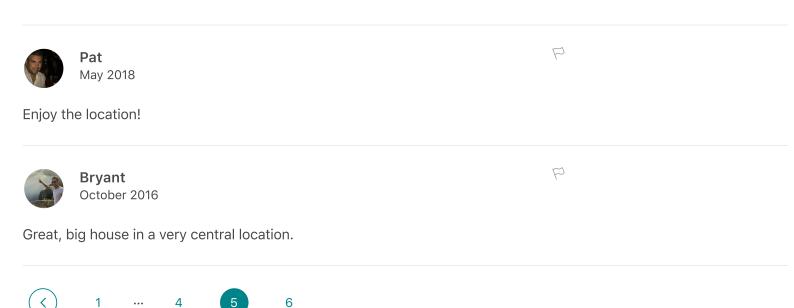
We were group of twelve students from Germany and had a great stay at this house. Although we never saw Bret in person, communication was easy and his assistant was helpful in all questions. Downtown is in walking distance and also easy to reach by bus.



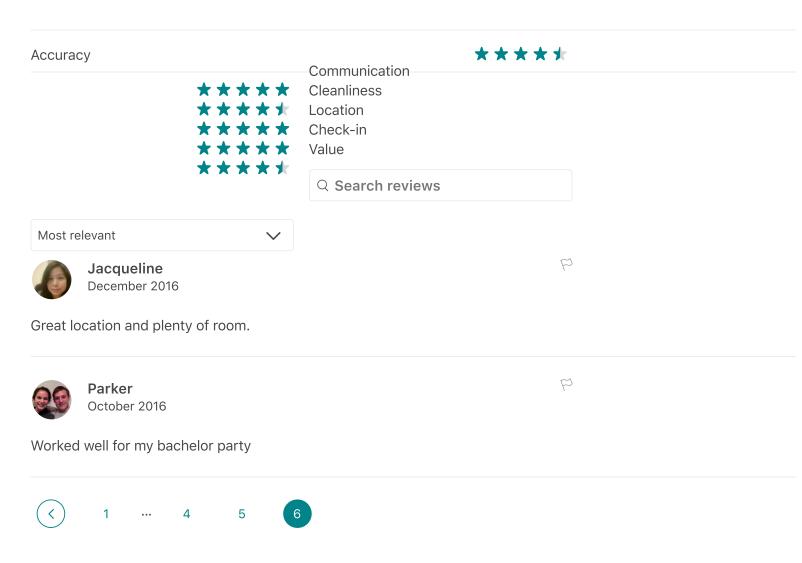
Andrew August 2014



This big house is a lovely old mansion on the Colorado river (the locals call it the town lake). We had a team offsite there an it worked well for us but was less than we expected. The house is in need a some TLC and the pictures don't really show the true condition. Bathrooms (not pictured) are older. The kitchen is OK but not stocked enough for 14 (although we were only 7) and lacked enough cooking utensils (even missing a large knife to cut with). Gardens need some work.



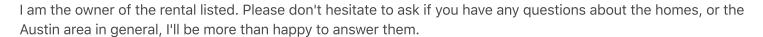
## 37 Reviews ★★★★



## **Hosted by Bret**

Austin, Texas, United States · Joined in March 2014





#### **Bret supports the Living Wage Pledge**

People who clean this host's listing are paid a living wage. Learn more

**Contact host** 

## The neighborhood

Features · next to soco · gardens · trendy · expensive · multi-cultural · granola

Bret's home is located in Austin, Texas, United States.

Easy walking distance to downtown, SoCo, and Dog Park. Close to Barton Springs, Zilker Park, Auditorium Shores.

#### **Getting around**

We have the Metro bus, taxi service and car share services available in our neighborhood.

#### Hide ^



The map shows this home's specific location.

## **Policies**

#### **House Rules**

No smoking

Check-in is anytime after 3PM and check out by 12PM (noon)

Self check-in with lockbox

Always respect our neighbors. If things get out of hand they will complain and parties can be shut down.

Hide rules ^

#### **Cancellations**

#### Strict - Free cancellation for 48 hours

After that, cancel up to 7 days before check-in and get a 50% refund, minus the service fee.



#### Get full details

#### **Hide policies**

## **\$253** per night **\*\*\*\*** 37

Dates				
Check in	ightarrow Check out			
Guests				
1 guest		~		
Book				

You won't be charged yet

## This home is on people's minds.

It's been viewed 157 times in the past week.





Where

9/30

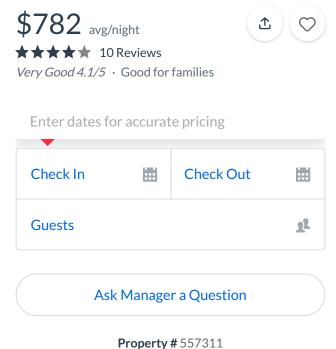
Travis Heights, Austin, TX, USA

Check In

Check Out

Search





Overview Amenities Reviews Map Rates & Availability

Big Beautiful Home On The Lake 1/2 Mile

## From Downtown

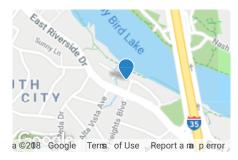
**☆** House • 3200 sq. ft.

용 Sleeps: 16

Pedrooms: 7

Bathrooms: 4

Min Stay: 3 nights



Travis Heights, Austin, TX, USA

Good for families

Hot Tub

Air Conditioning

Internet

### 7 Bedroom, 4 Bathroom

A hidden gem, the property is located right on Lady Bird Lake, in the 78704 district which is known as the coolest neighborhood in Austin. Creative and serene, you could easily say you're "getting away from it all" in this quiet cul-de-sac. And yet, it's mere minutes from everything that one of the best cities in the world has to offer...

- The Greenbelt's hike and bike trails and Town Lake's Boardwalk; Zilker Park and Barton Springs Natural Spring fed pool; bicycle, paddle board and kayak rentals
- The Long Center for the Performing Arts and The Austin Events Center; Auditorium Shores, the thriving SoCo (South Congress) and South Lamar districts; 6th and Rainy Street
- -- not to mention ALL of the uniquely Austin restaurants, bars, and shops.

In a 5 minute car or bike ride, or a 2 minute walk to the Capital Metro and UT bus routes, you can be right in the heart of downtown, which is just half a mile away.

Come explore Austin amidst the comforts and features of this truly, one-of-a-kind home, and forge your travels into a truly, one-of-a-kind experience.

View less

## **Bedrooms**



7 Bedrooms



Sleeps 16

## California King Downstairs Master Bedroom



king

Private Closet and Bathroom

## **Queen Bedroom Downstairs**



queen

Queen Size w/ Shared Bath. (Linens, toilet paper, etc)

## Twins Downstairs with Shared Bathroom





twin/single(2)

Double Twins w/ Shared Bath (linens, etc,)

## California King Up;stairs with Futon





king · sleep sofa /futon

Cali King w/ Futon and Bath. (linens, toilet paper, etc.)

### **Queen Bed Upstairs with**

**Queen Upstairs with Shared** 

#### **Shared Bathroom**

queen

Queen Bed Upstairs w. Shared Bath (Linens, etc.)

#### **Bathroom**





queen · sleep sofa /futon

Queen Upstairs w. Shared Bath. (Linens, toilet paper, etc)

## King Upstairs with Shared Bathroom.



king

King Upstairs w/ Shared Bath. (Linens, toilet paper, etc.)

All bedrooms have extra blankets and pillows. If more linens are needed, please let us know. Hangers in closets for your convenience and plenty of storage space.

## **Property Manager**

bret vance

Member Since 2013

Ask Manager a Question

Speaks:

Calendar last updated:

**English** 

Nov 28, 2018

### **About bret vance**

I am the owner of the rental listed. Please don't hesitate to ask if you have any questions about the homes, or the Austin area in general, I'll be more than happy to answer them.

bret vance purchased this House in 1990

### Why bret vance chose Travis Heights

After the initial appeal of the Victorian look of the property, the owners fell in love with the front porch overlooking the lake. A huge plus was separate dwellings that could be used for family gatherings. An oak tree on the back of the property, quite spectacular, is estimated to be 300 to 400 years old. The location seems private, remote, and isolated. However, it is 5 minutes of downtown and the capitol; 10 minutes to UT and St. Ed's; walking distance of South Congress (SoCo), Austin's trails, as well as multiple venues on the lake; AND NOW within 10 minutes of the Formula 1 race track! It is truly at the heart of Austin!

## What makes this House unique

It was a natural! It is old Austin charm, built in 1922, in an ideal location. Austin has changed of course, but it is fun to muse over the site of downtown from a '1922 vantage point.' There is an excellent view of the current downtown, which can be seen across the Colorado River that runs in front of the property, also known as Town Lake. Originally it was intended to become the home of one of the owner's parents who were planning to relocate to Austin; plus for a large extended family, it offered plenty of amenities for family visits and events.

View less about bret vance

## **Amenities**

Internet Fireplace Washer & Dryer

Air Conditioning TV Parking

Hot Tub Satellite or Cable Heater

#### **Bathrooms**

#### 4 Bathrooms

#### Bathroom 2

toilet, combination tub/shower.

Downstairs-Small,

towels & tissue provided.

#### Bathroom 3

toilet, combination tub/shower, tub, shower, Upstairs-Large, towels & tissue provided.

#### Bathroom 4

toilet, combination tub/shower, Downstairs-Small, towels & tissue provided.

#### **Downstairs Shared**

#### Bathroom

toilet, combination tub/shower, tub, shower, bidet, Downstairs Shared Bathroom providing

linens, towels, etc.

Clean towels, soap and tissue provided. Please let us know if extras are needed.

## **Location Type**

Downtown

Walk to downtown! Enjoy the beautiful view walking on Congress or IH 35.

Lake View

Lady Bird Lake View

Lakefront Lady Bird Lake

#### Meals

Guests provide their own meals

#### General

Air Conditioning

Clothes Dryer

**Towels Provided** 

Heating

Fireplace

Iron & Board

Linens Provided

**Parking** 

Hair Dryer

Washing Machine

Internet

**Living Room** 

#### Kitchen

Dishwasher

Stove

Microwave

Refrigerator

Oven

Pantry Items Coffee Maker Kitchen Coffee provided. Basic kitchen supplies and appliances available. Food Dishes & Utensils not provided. Toaster **Dining Dining Area** Dining comfy seating for 8 Our table pulls out to people accommodate 8 comfortably. **Entertainment** Television Music Library **Books** Satellite / Cable Game Room Video Games **DVD Player** Games **Outside** Lawn / Garden **Outdoor Grill** Balcony Deck / Patio

## Suitability

Long-term Renters Welcome

### Pool / Spa

Hot Tub

#### **Notes**

Come stay at the heart of Austin!

#### **House Rules**

Check-in: 3:30 PM Check-out: 12:00 PM

- ✓ Parties/events allowed
- No smokingNo smoking on the property at any time please.
- Pets allowed
  Austin's coolest dog park just one block south!
- Children allowedFenced backyard great for playing and running.

Max occupancy: 16

## **Cancellation Policy**

Canceled bookings will not receive a refund

## 10 Reviews

★★★★ Very Good 4.1/5



1-6 of 10



# Renter Beware! Many problems. Property is not professionally managed.

 $1/5 \bigstar \bigstar \bigstar \bigstar$  Stayed Jul 2018

Michael R.

House is very old & in need of repairs. Furniture is also old and some in need of repairs. Yard is fitly. Hot tub is unusable. Back patio is very dirty. A/C not adequate. Parking is not adequate. Property not professionally managed.

Submitted Aug 3, 2018

My stay reminded me of a past vacation in a "Painted Lady" in the Mission District of San Francisco

5/5 ★ ★ ★ ★ ★ Stayed Dec 2017

Daniel W.

The house is warm and gracious, if a bit worn. The owner was very easy to work with and very responsive to our inquires and requests. Having stayed in Austin five times for family reunions, Travis Heights is our favorite neighborhood for location and access to activities in Austin.

Submitted Jan 9, 2018

## Great house for a large group

5/5 ★ ★ ★ ★ ★ Stayed Nov 2017

Thomas N.

We had a group of 16 guys in town and this house was great for such a large group. Plenty of sleeping space and seating space for when we were hanging out inside. It's a pretty old house, so it's worn-in enough for you to be comfortable in it without worrying about one of your 15 friends breaking something expensive.

The big selling point here is VERY comfortable beds. Everyone was happy with their sleeping situation, even the people sleeping on the two twin beds and the two people sleeping on pull-out sofas. The larger beds had awesome mattresses and everyone was happy with this aspect of the house.

We had a small issue after checking in on our first day, but the house owner corrected it for us immediately and everything else was smooth all weekend. I highly recommend booking here if you've got a group on the larger side and want to save a bit of cash ... this area isn't as nice as other parts of Austin, but it's a great deal when you're splitting it up with a lot of folks.

Submitted Nov 16, 2017

## Exactly enough beds for our party of 15. Nice supplied kitchen and bathroom.

4/5 ★ ★ ★ ★ ★ Stayed Jul 2017

Kim P.

We were able to walk many places. Thought that it overlooked Lady Bird Lake from the picture, but it was a short walk. Helpful to have a washer & dryer. All rooms were kept cool with an air conditioner unit. House has a lot of character. Parking is in the street since 2 units behind house are rented out.

Submitted Jul 5, 2017

#### Awesome Location

5/5 ★ ★ ★ ★ ★ Stayed Jul 2016

Scott M.

We had a family-and-friends get together in Austin for the 4th of July weekend and stayed at this house. It was perfect. Everything in the house worked great, including the air conditioning which was a huge life saver being the 4th of the July and all. Many bedrooms with many sleeping options also came in handy for our large group. The location of the house is incredible - probably the best you'll find out there. The owner was also extremely responsive via txt, phone calls, and e-mails.

Submitted Jul 5, 2016

### Beautiful home, WONDERFUL location

5/5 ★ ★ ★ ★ ★ Stayed Oct 2015

Audrey D. North Hollywood, California

Me and a group of friends from California flew to Austin for ACL and were lucky enough to stay in this charming home. We were able to walk to Congress in about 10 minutes, and if we needed to go anywhere else, we got an uber that hardly costed anything! We didn't need to rent a car for the trip, which saved us an exponential amount of money (more money to spend at ACL!). All of the rooms were extremely clean and beautifully furnished. There were more than enough beds for us to sleep in, and the hosts made sure we knew were all of the extra blankets were placed in case we needed them. There was also a washer and a dryer for us to use (although we didn't end up needing it). Fast wi-fi, a HUGE cable TV, and a kitchen full of enough dishes and supplies to cook with were also huge perks. For the great price and great location, we will definitely be coming back next year. Overall a great experience!

Submitted Oct 9, 2015

**1 - 6** of 10



## Мар

Map

Satellite



- Travis Heights, Austin, TX, USA
- \* DOWNTOWN \* SHOPPING
- \* FINE DINNING \* ART GALLERIES
- \* SOUTH CONGRESS (SOCO)
- \* BIKE RENTALS BIKE THE BEAUTIFUL TRAILS

#### SURRONDING THE LAKE

- \*15 MINUTES FROM AUSITN'S NATORIOUS GREENBELT
- \*ONE BLOCK FROM CITY'S BEST KNOWN DOG PARK
- \* WATER SPORTS: KAYAKING, CANOEING, PADDLE BOARDING
- \* RIDE THE RIVERBOATS
- \* WINE TOURS IN THE HILL COUNTRY 1 HOUR TO THE

#### **WEST**

\* BE AT LAKE AUSTIN IN 10 MINUTES

- \* BE AT LAKE TRAVIS IN 45
- \* BE AT CANYON LAKE IN AN HOUR
- \* LOST PINES 1 HOUR TO THE EAST
- \* VISIT SMALL TOWNS: NEW BRAUNFELS, SAN

MARCUS, BUDA, GRUEN, BASTROP TEXAS ALL WITHIN AN HOUR

## **Rates & Availability**

#### December 2018

January 2019

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## February 2019

#### **March** 2019

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Taxes and fees are additional

### Additional information about rental rates

Cleaning Fee	\$ 150
Pet Fee	\$ 50

PLEASE READ:\*Rates are subject to change until reservation is confirmed. Please contact us prior to making a reservation online to confirm availability. To make a reservation we collect 1/2 down upon reservation, the balance is due 60 days prior to the arrival-date.\*

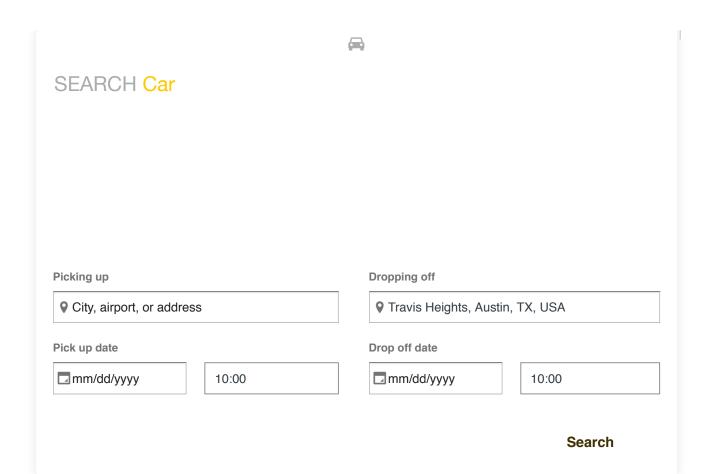
## You might like these similar properties

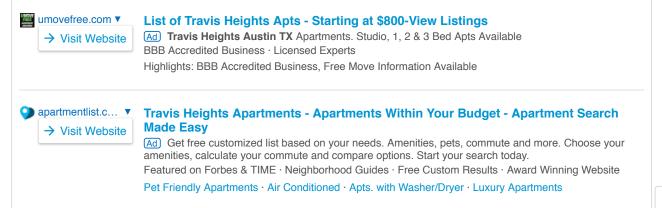
**\$ 1,077** avg/night

\$ 900 avg/night

**\$ 1,050** avg/night

**Special Offers** 







#### G liveatgoodnight... ▼ New Homes In Southeast Austin - 10 Miles From Downtown

(Ad) 700 Acre Mixed-Use Neighborhood. On-Site Elementary School.

Park District · Walkable Hub

Types: Single Family Homes, Condominiums, Apartments, Commercial Property

Location
The Community
Our Builders

## More Popular Vacation Destinations ^

Italy Family Apartment with 4 Beds 2 Bath in Rione XXII Prati

Japan 3 Bed 3 Bath Family Okinawa Prefecture Villa

Malaysia 4 Bed 5 Bath Family Apartment in Malacca

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**Thailand** 7 Bed 8 Bath Family Choeng Thale Villa

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Home Rentals in Glasgow, Coos County Home Rentals in Valle Escondido, Taos County Mayville Rental Destinations VRBO Property ID 4468192 Vacation Rentals near Centenary College Home Rentals in Forney, Kaufman County Home Rentals in Pataskala, Licking County Vacation Rentals near Brighton Music Hall Get our newsletter and stay current on vacation **Email Address** Subscribe rental deals and specials. **Explore VRBO List Your Property** Careers Rental Guarantee Luxury from HomeAway **Trust and Safety** Affiliates Media Center Get the HomeAway and VRBO Mobile App +1 Your mobile phone number Send

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